



**New Mexico Commission of Public Records
Administrative Law Division**

1205 Camino Carlos Rey
Santa Fe, NM 87507
505-476-7907

Affidavit of Publication in the *New Mexico Register*

I, John Martinez, certify that the agency noted below has published legal notices or rules in the New Mexico Register, and that payment has been assessed by invoice for said legal notice or publication, which appeared on the date and in the volume and issue number noted below.

Date of Publication: 3/31/2011

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Agency:

EIB - Air Qual
Contact: Rita Bates
1301 Siler RD Bldg B
Santa Fe, NM 87507-

Description:

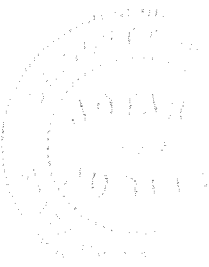
Notice

Other

Other Material

Notice of State

Notice of State



(seal)

State of New Mexico, County of Santa Fe

Signed and affirmed before me on Thursday, March 31, 2011

by John Martinez

Notary Public:

Bridgett Wood

[My commission expires: 3/16/13]

Affiant:

John H. Martinez
Publisher, *New Mexico Register*

Date: 3/31/2011

~Copies of the published material documented in this affidavit are enclosed~

Form SRC-2002-04 Revised July 2007

Board Ordinances, Section 9-5-1-6 ROA 1994 and Bernalillo County Ordinance 94-5, Section 6, and 20.11.82 NMAC, *Rulemaking Procedures -- Air Quality Control Board*.

Anyone intending to present technical testimony at this hearing is required by 20.11.82.20 NMAC to submit a written Notice Of Intent to testify (NOI) before 5:00pm on May 24, 2011, to: "Attn: Neal Butt, Albuquerque Environmental Health Department, P.O. Box 1293, Albuquerque, NM 87103", or to deliver the NOI to the Environmental Health Department, Suite 3023, 3rd Floor, One Civic Plaza (400 Marquette Avenue NW), Albuquerque, NM 87102. The NOI shall: 1. identify the person for whom the witness or witnesses will testify; 2. identify each technical witness the person intends to present and state the qualifications of that witness, including a description of their educational and work background; 3. summarize or include a copy of the direct testimony of each technical witness and state the anticipated duration of the testimony of that witness; 4. include the text of any recommended modifications to the proposed regulatory change; and 5. list and describe, or attach, all exhibits anticipated to be offered by that person at the hearing, including any proposed statement of reasons for adoption of rules.

In addition, written comments to be incorporated into the public record for this hearing should be received at the above P.O. Box, or Environmental Health Department office, before 5:00 pm on June 1, 2011. Comments shall include the name and address of the individual or organization submitting the statement. Written comments may also be submitted electronically to nbutt@cabq.gov and shall include the required name and address information. Interested persons may obtain a copy of the proposed regulation at the Environmental Health Department office, or by contacting Mr. Neal Butt electronically at nbutt@cabq.gov or by phone (505) 768-2660, or by downloading a copy from the City of Albuquerque Air Quality Division website <http://www.cabq.gov/airquality/aqcb/public-review-drafts>.

NOTICE FOR PERSONS WITH DISABILITIES: If you have a disability and/or require special assistance please call (505) 768-2600 [Voice] and special assistance will be made available to you to review any public meeting documents, including agendas and minutes. TTY users call the New Mexico Relay at 1-800-659-8331 and special assistance will be made available to you to review any public meeting documents, including agendas and minutes

NEW MEXICO CHILDREN, YOUTH AND FAMILIES DEPARTMENT ADMINISTRATIVE SERVICES DIVISION

NOTICE OF PUBLIC HEARING

The Children, Youth and Families Department, Administrative Services, will hold a formal public hearing on Wednesday, May 4, 2011, at 3:00 p.m. in Room 565 of the PERA Building, 1120 Paseo de Peralta, Santa Fe, New Mexico to receive public comment regarding proposed amendments to 8.8.3 NMAC Governing Background Checks and Employment History Verification. The proposed amendments may be obtained by contacting Mary J. Gutierrez at 505-827-7326.

Interested persons may testify at the hearing or submit written comments no later than 5:00 p.m. on May 4, 2011. Written comments will be given the same consideration as oral testimony given at the hearing. Written comments should be addressed to: Mary J. Gutierrez, Administrative Services Background Check Unit, Children, Youth and Families Department, P.O. Drawer 5160, Santa Fe, New Mexico 87502-5160, Fax Number: 505-827-7422, Electronic Mail: Mary.Gutierrez1@state.nm.us.

If you are a person with a disability and you require this information in an alternative format or require special accommodations to participate in the public hearing, please contact Mary J. Gutierrez at 505-827-7326. The Department requests at least 10 days advance notice to provide requested alternative formats and special accommodations.

NEW MEXICO ENVIRONMENTAL IMPROVEMENT BOARD

NEW MEXICO ENVIRONMENTAL IMPROVEMENT BOARD NOTICE OF STATE IMPLEMENTATION PLAN AND RULEMAKING HEARING

The New Mexico Environmental Improvement Board ("Board") will hold a public hearing on June 1, 2011 at 9:00 a.m. in Room 307 at the State Capitol Building (Roundhouse), 490 Old Santa Fe Trail, Santa Fe, New Mexico, continuing on June 2 and, if necessary, June 3 and 4, 2011 in Farmington, New Mexico at San Juan College, 4601 College Blvd. The New Mexico Environment Department ("NMED") is proposing to adopt revisions

to the New Mexico State Implementation Plan for Regional Haze. The proposed plan establishes requirements for New Mexico to meet the requirements of 40 CFR Section 51.309, including a determination of Best Available Retrofit Technology for nitrogen oxides and particulate matter for the San Juan Generating Station. Revisions to 20.2.73 NMAC and 20.2.81 NMAC are also proposed.

The proponent of this regulatory adoption and revision is the New Mexico Environment Department ("NMED").

The purpose of the public hearing is to consider and take possible action on a petition from NMED regarding revisions to New Mexico's State Implementation Plan under the federal regional haze rule, 40 CFR Section 51.309. The regional haze rule requires states to submit State Implementation Plans to address visibility impairment caused by regional haze in 156 federally-protected parks and wilderness areas, known as Class I areas, including nine such areas in New Mexico. Revisions to 20.2.73 NMAC and 20.2.81 NMAC are also proposed to conform those rules to federal requirements for the regional haze program.

The proposed revised regulations and plan may be reviewed during regular business hours at the NMED Air Quality Bureau office, 1301 Siler Road, Building B, Santa Fe, New Mexico. The full text of NMED's proposed revised State Implementation Plan and regulations are available on NMED's web site at www.nmenv.state.nm.us, or by contacting Rita Bates at (505) 476-4304 or by email at rita.bates@state.nm.us.

The hearing will be conducted in accordance with 20.1.1 NMAC (Rulemaking Procedures – Environmental Improvement Board), the Environmental Improvement Act, Section 74-1-9 NMSA 1978, the Air Quality Control Act, Section 74-2-6 NMSA 1978, and other applicable procedures.

All interested persons will be given reasonable opportunity at the hearing to submit relevant evidence, data, views and arguments, orally or in writing, to introduce exhibits, and to examine witnesses. Persons wishing to present technical testimony must file with the Board a written notice of intent to do so. The notice of intent shall:

- (1) identify the person for whom the witness(es) will testify;
- (2) identify each technical witness that the person intends to present and state the qualifications of the witness, including a description of their education and work background;
- (3) include a copy of the direct testimony

in narrative form of each technical witness and state the anticipated duration of the testimony of that witness;

(4) attach each exhibit anticipated to be offered by that person at the hearing; and
(5) attach the text of any recommended modifications to the proposed new and revised regulations.

Notices of intent for the hearing must be received in the Office of the Board not later than 5:00 pm on May 17, 2011, and should reference the docket number, EIB 11-01 (R), and the date of the hearing. Notices of intent to present technical testimony should be submitted to:

Felicia Orth, Acting Board Administrator
Office of the Environmental Improvement Board
Harold Runnels Building
1190 St. Francis Dr., Room 2150-N
Santa Fe, NM 87502
Phone: (505) 827-0339, Fax (505) 827-2836

Any member of the general public may testify at the hearing. No prior notification is required to present non-technical testimony at the hearing. Any such member may also offer exhibits in connection with his testimony, so long as the exhibit is not unduly repetitious of the testimony.

A member of the general public who wishes to submit a written statement for the record, in lieu of providing oral testimony at the hearing, shall file the written statement prior to the hearing, or submit it at the hearing.

Persons having a disability and needing help in being a part of this hearing process should contact Judy Bentley by May 17, 2011 at the NMED, Personnel Services Bureau, P.O. Box 5469, 1190 St. Francis Drive, Santa Fe, New Mexico, 87502-5469, telephone 505-827-9872. TDY users please access her number via the New Mexico Relay Network at 1-800-659-8331.

The Board may make a decision on the proposed revised state implementation plan and regulations at the conclusion of the hearing, or the Board may convene a meeting at a later date to consider action on the proposal.

NEW MEXICO DEPARTMENT OF HEALTH

NOTICE OF PUBLIC HEARING

The New Mexico Department of Health will hold a public hearing on 7.4.7 NMAC "Human Immunodeficiency Virus Partner Service." The Hearing will be held on Friday, April 8, 2011 beginning at 9:30 a.m. in the Harold Runnels Building Auditorium, located at 1190 St. Francis Drive, Santa Fe, New Mexico.

The public hearing will be conducted to receive public comment regarding proposed promulgated rules.

A copy of the proposed rules can be obtained by requesting by email from:

Andrew A. Gans, MPH
HIV Prevention Program Manager
New Mexico Department of Health
andrew.gans@state.nm.us

Please submit any written comments regarding the proposed rules to Mr. Gans at the email address listed above.

The Department will accept public comment through the close of the hearing unless otherwise specified.

If you are an individual with a disability who is in need of special assistance or accommodations to attend or participate in the hearing, please contact Christina Galvez at the above address or telephone number. The Department requests at least ten (10) days advance notice for special accommodations requests.

**End of Notices and Proposed
Rules Section**

Other Material Related to Administrative Law

NEW MEXICO ENVIRONMENTAL IMPROVEMENT BOARD

NEW MEXICO ENVIRONMENTAL IMPROVEMENT BOARD NOTICE OF STATE IMPLEMENTATION PLAN HEARING

The New Mexico Environmental Improvement Board ("Board") will hold a public hearing on June 2, 3 or 4, 2011 in Farmington, New Mexico at San Juan College, 4601 College Blvd. The hearing will commence immediately following the hearing in EIB No. 11-01 (R), scheduled for June 2 - 4 (as necessary), 2011 at the same location. The New Mexico Environment Department ("NMED") is proposing to adopt revisions to the New Mexico State Implementation Plan to satisfy the requirements of Clean Air Act Section 110(a)(2)(D)(i)(II) with respect to visibility for the 8-hour ozone and particulate matter under 2.5 microns in diameter (PM 2.5) National Ambient Air Quality Standards promulgated in July 1997.

The proponent of this regulatory adoption and revision is the New Mexico Environment Department ("NMED").

The purpose of the public hearing is to consider and take possible action on a petition from NMED regarding revisions to New Mexico's State Implementation Plan (SIP). The "Good Neighbor" provision of the Clean Air Act (CAA) at Section 110(a)(2)(D)(i) requires that each state implementation plan (SIP) submitted to EPA must address emissions from within the state that affect other states through interstate transport. The NMED's Best Available Retrofit Technology (BART) determination for nitrogen dioxide for the San Juan Generating Station (SJGS) calls for an emission rate of 0.23 pounds per million British thermal units (lbs/mmBtu). In order to address the separate requirement to satisfy Section 110(a)(2)(D) for sulfur dioxide, SJGS has agreed to a permit modification to implement a limit of 0.15 lbs/mmBtu for sulfur dioxide. These nitrogen dioxide and sulfur dioxide emission limits ensures that New Mexico will meet or exceed the expectations of neighboring states for visibility.

The proposed revised plan may be reviewed during regular business hours at the NMED Air Quality Bureau office, 1301 Siler Road, Building B, Santa Fe, New Mexico. The full text of NMED's proposed State Implementation Plan is available on NMED's

web site at www.nmenv.state.nm.us, or by contacting Rita Bates at (505) 476-4304 or by email at rita.bates@state.nm.us.

The hearing will be conducted in accordance with 20.1.1 NMAC (Rulemaking Procedures – Environmental Improvement Board), the Environmental Improvement Act, Section 74-1-9 NMSA 1978, the Air Quality Control Act, Section 74-2-6 NMSA 1978, and other applicable procedures.

All interested persons will be given reasonable opportunity at the hearing to submit relevant evidence, data, views and arguments, orally or in writing, to introduce exhibits, and to examine witnesses. Persons wishing to present technical testimony must file with the Board a written notice of intent to do so. The notice of intent shall:

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- (4) attach each exhibit anticipated to be offered by that person at the hearing; and
- (5) attach the text of any recommended modifications to the proposed new and revised regulations.

Notices of intent for the hearing must be received in the Office of the Board not later than 5:00 pm on May 17, 2011, and should reference the docket number, EIB 11-02 (R), and the date of the hearing. Notices of intent to present technical testimony should be submitted to:

Felicia Orth, Acting Board Administrator
Office of the Environmental Improvement Board
Harold Runnels Building
1190 St. Francis Dr., Room 2150-N
Santa Fe, NM 87502
Phone: (505) 827-0339, Fax (505) 827-2836

Any member of the general public may testify at the hearing. No prior notification is required to present non-technical testimony at the hearing. Any such member may also offer exhibits in connection with his testimony, so long as the exhibit is not unduly repetitious of the testimony.

A member of the general public who wishes to submit a written statement for the record,

in lieu of providing oral testimony at the hearing, shall file the written statement prior to the hearing, or submit it at the hearing.

Persons having a disability and needing help in being a part of this hearing process should contact Judy Bentley by May 17, 2011 at the NMED, Personnel Services Bureau, P.O. Box 5469, 1190 St. Francis Drive, Santa Fe, New Mexico, 87502-5469, telephone 505-827-9872. TDY users please access her number via the New Mexico Relay Network at 1-800-659-8331.

The Board may make a decision on the proposed revised state implementation plan at the conclusion of the hearing, or the Board may convene a meeting at a later date to consider action on the proposal.

End of Other Related Material Section



STATE OF NEW MEXICO
County of Bernalillo SS

Linda MacEachen, being duly sworn, declares and says that she is Classified Advertising Manager of **The Albuquerque Journal**, and that this newspaper is duly qualified to publish legal notices or advertisements within the meaning of Section 3, Chapter 167, Session Laws of 1937, and that payment therefore has been made of assessed as court cost; that the notice, copy of which is hereto attached, was published in said paper in the regular daily edition, for 1 times, the first publication being on the 31 day of March, 2011, and the subsequent consecutive publications on _____

_____, 20_____
Linda MacEachen

Sworn and subscribed before me, a Notary Public, in and for the County of Bernalillo and State of New Mexico this 31 day of March of 2011.

PRICE \$247.39

Statement to come at end of month.

ACCOUNT NUMBER C 80980

CLA-22-A (R-1/93)

2/18/13
[Signature]

NEW MEXICO ENVIRONMENTAL IMPROVEMENT BOARD NOTICE OF STATE IMPLEMENTATION PLAN AND RULEMAKING HEARING

The New Mexico Environmental Improvement Board (Board) will hold a public hearing on June 1, 2011 at 9:00 a.m. in Room 307 at the State Capitol Building (Roundhouse), 490 Old Santa Fe Trail, Santa Fe, New Mexico, continuing on June 2 and, if necessary, June 3 and 4, 2011 in Farmington, New Mexico at San Juan College, 4801 College Blvd. The New Mexico Environmental Department (NMED) is proposing to adopt revisions to the New Mexico State Implementation Plan for Regional Haze. The proposed plan establishes requirements for New Mexico to meet the requirements of 40 CFR Section 51.309 including a determination of Best Available Retrofit Technology for nitrogen oxides and particulate matter for the San Juan Generating Station. Revisions to 20.2.73 NMAC and 20.2.81 NMAC are also proposed.

The proponent of this regulatory adoption and revision is the New Mexico Environmental Department (NMED).

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The hearing will be conducted in accordance with 20.1.1 NMAC (Rulemaking Procedures - Environmental Improvement Board), the Environmental Improvement Act, Section 74-1-9 NMSA 1978, the Air Quality Control Act, Section 74-2-6 NMSA 1978, and other applicable procedures.

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- (3) include a copy of the direct testimony in narrative form of each technical witness and state the anticipated duration of the testimony of that witness;
- (4) attach each exhibit anticipated to be offered by that person at the hearing; and
- (5) attach the text of any recommended modifications to the proposed new and revised regulations.

Notices of intent for the hearing must be received in the Office of the Board not later than 5:00 pm on May 17, 2011, and should reference the docket number, EIB 11-01 (R), and the date of the hearing. Notices of intent to present technical testimony should be submitted to:

Felicia Orth,
Acting Board Administrator
Office of the Environmental
Improvement Board
Harold Runnels Building
1190 St. Francis Dr.,
Room 2150-N
Santa Fe, NM 87502
Phone: (505) 827-0339,
Fax (505) 827-2838

Any member of the general public may testify at the hearing. No prior notification is required to present non-technical testimony at the hearing. Any such member may also offer exhibits in connection with his testimony, so long as the exhibit is not unduly repetitious of the testimony.

A member of the general public who wishes to submit a written statement for the record, in lieu of providing oral testimony at the hearing, shall file the written statement prior to the hearing, or submit it at the hearing.

Persons having a disability and needing help in being a part of the hearing process should contact Judy Bentley by May 17, 2011 at the NMED Personnel Services Bureau, P.O. Box 5489, 1190 St. Francis Drive, Santa Fe, New Mexico, 87502-5489, telephone 505-827-9872. TDY users please access her number via the New Mexico Relay Network at 1-800-659-8331.

The Board may make a decision on the proposed revised state implementation plan and regulations at the conclusion of the hearing, or the Board may convene a meeting at a later date to consider action on the proposal.

JUNTA DE MEJORAMIENTO AMBIENTAL DE NUEVO MEXICO AVISO DE AUDIENCIA DE PLAN DE IMPLEMENTACION ESTATAL Y REGLAMENTACION

La Junta para el Mejoramiento Ambiental de Nuevo Mexico (en adelante "la Junta") celebrara una audiencia publica el dia 1 de junio de 2011 a las 9:00 a.m. en la Sala 307 del State Capitol Building (Roundhouse), situado en 490 Old Santa Fe Trail, Santa Fe, Nuevo Mexico, que continuara el 2 de junio y si es necesario el 3 y 4 de

juno de 2011 en Farmington, Nuevo Mexico en San Juan College, 4801 College Blvd. El Departamento del Medio Ambiente de Nuevo Mexico (en adelante "NMED") esta proponiendo aprobar una revision del Plan de Implementacion Estatal de Nuevo Mexico para la Nebulina Regional. El plan propuesto establece los requisitos para que Nuevo Mexico cumpla con los requisitos de 40 CFR Section 51.309 que incluye una determinacion de la Mejor Tecnologia Disponible de Modernizacion para el oxido de nitrogeno y las materias en particulas de la Estacion Generadora de San Juan. Tambien se estan proponiendo revisiones a 20.2.73 NMAC y 20.2.81 NMAC.

El proponente de esta adopcion y revision regulatoria es el Departamento del Medio Ambiente de Nuevo Mexico (NMED).

El proposito de esta audiencia publica es considerar y tomar posibles acciones basadas en una petition del NMED en relacion a las revisiones del Plan de Implementacion Estatal de Nuevo Mexico bajo la norma federal de neblina regional, 40 CFR Section 51.309. La norma de neblina regional requiere que los estados que remitan sus Planes de Implementacion Estatal que aborden la reduccion de visibilidad causada por la neblina regional en 156 parques y areas silvestres con proteccion federal, conocidas como areas Clase I que incluyen nueve de dichas areas localizadas en Nuevo Mexico. Tambien se han propuesto revisiones a 20.2.73 NMAC y 20.2.81 NMAC para adecuar estas normas a los requisitos federales para el programa de neblina regional.

El plan propuesto puede revisarse durante las horas habiles normales en la oficina de la Agencia de Calidad del Aire del NMED, 1301 Siler Road, Building B, Santa Fe, Nuevo Mexico, en el sitio web del NMED en www.nmenv.state.nm.us, o comunicandose con Rita Bates al (505) 476-4304 o rita.bates@state.nm.us.

La audiencia se celebrara bajo 20.1.1 NMAC (Procedimientos para la creacion de reglamentos del Consejo de mejoramiento del medio ambiente), la Environmental Improvement Act (Ley de mejoramiento de medio ambiente), Seccion 74-1-9, NMSA 1978, la Air Quality Control Act (Ley de control de la calidad del aire), Seccion 74-2-6, NMSA 1978, ademas de ordenes de programacion, de procedimientos y otras, presentados por el Consejo o el Funcionario de audiencias, y otros procedimientos pertinentes.

Se dara a todos los interesados una oportunidad razonable durante la audiencia para presentar algun testimonio pertinente, datos, puntos de vista o argumentos, tanto oralmente como por escrito, presentar evidencia e interrogar a los testigos.

Todas aquellas personas que deseen presentar testimonio tecnico deberan presentar una notificacion por escrito de sus intenciones, que incluya lo siguiente:

- (1) Identificar la persona por la cual el (los) testigo (s) van a testificar;
- (2) Identificar a cada uno de los testigos tecnicos que la persona tiene la intencion de presentar, y mencionar las aptitudes de la testigo, incluida una descripcion de su carrera academica y antecedentes laborales;
- (3) Incluir una copia del testimonio directo de cada uno de los testigos tecnicos, y mencionar la duracion esperada del testimonio de ese testigo;
- (4) adjuntar todas las pruebas fisicas que espera presentar, incluido cualquier declaracion de razones para la adopcion de los reglamentos;
- (5) adjuntar el texto de cualesquiera modificaciones recomendadas al cambio reglamentario propuesto.

La notificacion de intencion debera identificar el numero de la agenda, EIB No. 10-05(R). Las notificaciones de intencion deberan recibirse en la oficina del Consejo a mas tardar a las 5:00 p.m. el 17 de mayo de 2011. A continuacion se menciona la direccion de la oficina del Consejo.

Felicia Orth,
Acting Board Administrator
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Harold Runnels Building
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Santa Fe, NM 87502
Phone: (505) 827-0339,
Fax (505) 827-2838

Cualquier persona, aun un miembro del publico, que desee presentar algun comentario publico no tecnico, testimonio o prueba fisica podra hacerlo sin necesidad de notificacion previa, ya sea por escrito en cualquier momento antes de la conclusion de la audiencia, o en persona durante la audiencia.

Toda persona discapacitada o que requiera de ayuda para poder participar en los procedimientos de esta audiencia, debe comunicarse con Judy Bentley antes del 17 de mayo de 2011 ala oficina de servicios de personal del NMED, P.O. Box 5489, 1190 St. Francis Drive, Santa Fe, Nuevo Mexico, 87502-5489, telefono (505) 827-9872. Los usuarios de TDY pueden acceder su numero mediante el New Mexico Relay Network al (800) 659-8331.

El Consejo podra tomar una decision sobre la reglamentacion propuesta a la conclusion de la audiencia, o podria convocar otra reunion con ese mismo fin.
Journal: March 31, 2011





STATE OF NEW MEXICO

County of Bernalillo

SS

Linda MacEachen, being duly sworn, declares and says that she is Classified Advertising Manager of **The Albuquerque Journal**, and that this newspaper is duly qualified to publish legal notices or advertisements within the meaning of Section 3, Chapter 167, Session Laws of 1937, and that payment therefore has been made or assessed as court cost; that the notice, copy of which is hereto attached, was published in said paper in the regular daily edition, for 1 times, the first publication being on the 31 day of March, 20 11, and the subsequent consecutive publications on _____

_____, 20_____
Linda C MacEachen

Sworn and subscribed before me, a Notary Public, in and for the County of Bernalillo and State of New Mexico this 31 day of March of 20 11.

PRICE \$ 258.18

Statement to come at end of month.

ACCOUNT NUMBER C80980

CLA-22-A (R-1/93)

CONFIDENTIAL
JAN 20 2012
2/18/15
[Signature]

**NEW MEXICO
ENVIRONMENTAL
IMPROVEMENT BOARD
NOTICE OF STATE
IMPLEMENTATION
PLAN HEARING**

The New Mexico Environmental Improvement Board ("Board") will hold a public hearing on June 2, 3 or 4, 2011 in Farmington, New Mexico at San Juan College, 4601 College Blvd. The hearing will commence immediately following the hearing in EIB No. 11-01 (R), scheduled for June 2-4 (as necessary), 2011 at the same location. The New Mexico Environment Department ("NMED") is proposing to adopt revisions to the New Mexico State Implementation Plan to satisfy the requirements of Clean Air Act Section 110(a)(2)(D)(i)(II) with respect to visibility for the 8-hour ozone and particulate matter under 2.5 microns in diameter (PM 2.5). National Ambient Air Quality Standards promulgated in July 1997.

The proponent of this regulatory adoption and revision is the New Mexico Environment Department ("NMED").

The purpose of the public hearing is to consider and take possible action on a petition from NMED regarding revisions to New Mexico's State Implementation Plan (SIP). The "Good Neighbor" provision of the Clean Air Act (CAA) at Section 110(a)(2)(D)(i) requires that each state implementation plan (SIP) submitted to EPA must address emissions from within the state that affect other states through interstate transport. The NMED's Best Available Retrofit Technology (BART) determination for nitrogen dioxide for the San Juan Generating Station (SJGS) calls for an emission rate of 0.23 pounds per million British thermal units (lbs/mmBtu). In order to address the separate requirement to satisfy Section 110(a)(2)(D) for sulfur dioxide, SJGS has agreed to a permit modification to implement a limit of 0.15 lbs/mmBtu for sulfur

dioxide. These nitrogen dioxide and sulfur dioxide emission limits ensure that New Mexico will meet or exceed the expectations of neighboring states for visibility.

The proposed revised plan may be reviewed during regular business hours at the NMED Air Quality Bureau office, 1301 Sier Road, Building B, Santa Fe, New Mexico. The full text of NMED's proposed State Implementation Plan is available on NMED's web site at www.nmenv.state.nm.us; or by contacting Rita Bates at (505) 476-4304 or by email at rita.bates@state.nm.us.

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Any member of the general public may testify at the hearing. No prior notification is required to present non-technical testimony at the hearing. Any such member may also offer exhibits in connection with his testimony, so long as the exhibit is not unduly repetitious of the testimony.

A member of the general public who wishes to submit a written statement for the record, in lieu of providing oral testimony at the hearing, shall file the written statement prior to the hearing, or submit it at the hearing.

Persons having a disability and needing help in being a part of this hearing process should contact Judy Bentley by May 17, 2011 at the NMED, Personnel Services Bureau, P.O. Box 5469, 1190 St. Francis Drive, Santa Fe, New Mexico, 87502-5469; telephone 505-827-9872. TDY users please access her number via the New Mexico Relay Network at 1-800-659-8331.

The Board may make a decision on the proposed revised state implementation plan at the conclusion of the hearing, or the Board may convene a meeting at a later date to consider action on the proposal.

**JUNTA DE MEJORAMIENTO
AMBIENTAL DE
NUEVO MEXICO
AVISO DE AUDIENCIA DE
PLAN DE IMPLEMENTACION
ESTATAL**

La Junta para el Mejoramiento Ambiental de Nuevo Mexico (en adelante "la Junta") celebrara una audiencia publica el dia 2, 3 o 4 de junio de 2011 en Farmington, Nuevo Mexico en San Juan College, 4601 College Blvd. Esta audiencia comenzara inmediatamente despues de la audiencia por los asuntos en EIB No. 11-01 (R) programado del 2 al 4 de junio (si es necesario) del 2011 en el mismo lugar. El Departamento del Medio Ambiente de Nuevo Mexico (en adelante "NMED") esta proponiendo aprobar una revision del Plan de Implementacion Estatal de Nuevo Mexico con el fin de cumplir los requisitos de la Ley de Aire Limpio, Seccion 110 (a)(2)(D)(i)(II) en relacion a la visibilidad del nivel de ozono de 8 horas y particulas de materia por debajo de los 2.5 micras de diametro (PM 2.5) contemplados en los Estandares Ambientales Nacionales de Calidad del Aire promulgados en Julio de 1997.

El proponente de esta adopcion y revision regulatoria es el Departamento del Medio Ambiente de Nuevo Mexico (NMED).

El proposito de esta audiencia publica es considerar y tomar posibles acciones basadas en una petition del NMED en relacion a las revisiones del Plan de Implementacion Estatal de Nuevo Mexico (SIP por sus siglas en Ingles). La clausula del "Buen Vecino" de la Ley de Aire Limpio (CAA) en la Seccion 110 (a) (2) (D) (i) requiere cada plan de implementacion estatal (SIP) remitido a EPA debe tratar sobre las emisiones producidas en el estado que afecta otros estados a traves del transporte interestatal. La Mejor Tecnologia Disponible de Modernizacion (BART por sus siglas en Ingles) del Departamento de Medio Ambiente de Nuevo Mexico (NMED) determino que el dióxido de nitrógeno que emite la Estación Generadora de San Juan (SJGS) tiene un índice de 0.23 libras por cada millón de unidades térmicas británicas (lbs/mmBtu). Para abordar los requisitos individuales para cumplir lo dispuesto en la Sección 110(a)(2)(D) sobre el dióxido de azufre, la SJGS ha aceptado una modificación de permiso para implementar un límite de 0.15 lbs/mmBtu para el dióxido de azufre. Estos límites en las emisiones de dióxido de nitrógeno y dióxido de azufre aseguran que Nuevo Mexico cumpla o exceda las expectativas de visibilidad de los estados vecinos.

El plan propuesto puede revisarse durante las horas hábiles normales en la oficina de la Agencia de Calidad del Aire del NMED, 1301 Sier Road, Building B, Santa Fe, Nuevo Mexico, en el sitio web del NMED en www.nmenv.state.nm.us, o comunicandose con Rita Bates al (505) 476-4304 o rita.bates@state.nm.us.

La audiencia se celebrara bajo 20.1.1 NMAC (Procedimientos para la creacion de reglamentos del Consejo de mejoramiento del medio ambiente), la Environmental Improvement Act (Ley de mejoramiento de medio ambiente), Seccion 74-1-9, NMSA 1978, la Air Quality Control Act (Ley de control de la calidad del aire), Seccion, 74-2-6, NMSA 1978, ademas de ordenes de programacion, de procedimientos y otras presentados por el Consejo o el Funcionario de audiencias, y otros procedimientos pertinentes.

Se dara a todos los interesados una oportunidad razonable durante la audiencia para presentar algun

testimonio pertinente, datos, puntos de vista o argumentos, tanto oralmente como por escrito, presentando evidencia e interrogar a los testigos.

Todas aquellas personas que deseen presentar testimonio tecnico deberan presentar una notificacion por escrito de sus intenciones, que incluya lo siguiente:

- (1) Identificar la persona por la cual el (los) testigo (s) van a testificar;
- (2) Identificar a cada uno de los testigos tecnicos que la persona tiene la intencion de presentar y mencionar las aptitudes de los testigos, incluida una descripcion de su carrera academica y antecedentes laborales;
- (3) Incluir una copia del testimonio directo de cada uno de los testigos tecnicos, y mencionar la duracion esperada del testimonio de ese testigo;
- (4) adjuntar todas las pruebas fisicas que espera presentar, incluido cualquier declaracion de razones para la adopcion de los reglamentos;
- (5) adjuntar el texto de cualesquiera modificaciones recomendadas al cambio reglamentario propuesto.

La notificacion de intencion debera identificar el numero de la agenda, EIB No. 10-05(R). Las notificaciones de intencion deberan recibirse en la oficina del Consejo a mas tardar a las 5:00 p.m. el 17 de mayo de 2011. A continuacion se menciona la direccion de la oficina del Consejo.

Felicia Orth,
Acting Board Administrator
Office of the Environmental
Improvement Board
Harold Runnels Building
1190 St. Francis Dr.,
Room 2150-N
Santa Fe, NM 87502
Phone: (505) 827-0339,
Fax (505) 827-2838

Cualquier persona, aun un miembro del publico, que desea presentar algun comentario publico no tecnico, testimonio o prueba fisica, podra hacerlo sin necesidad de notificacion previa, ya sea por escrito en cualquier momento antes de la conclusion de la audiencia, o en persona durante la audiencia.

Toda persona discapacitada o que requiera de ayuda para poder participar en los procedimientos de esta audiencia, debe comunicarse con Judy Bentley antes del 17 de mayo de 2011 ala oficina de servicios de personal del NMED, P.O. Box 5469, 1190 St. Francis Drive, Santa Fe, Nuevo Mexico, 87502-5469; telefono (505) 827-9872. Los usuarios de TDY pueden acceder su numero mediante el New Mexico Relay Network al (800) 659-8331.

El Consejo podra tomar una decision sobre la reglamentacion propuesta a la conclusion de la audiencia o podria convocar otra reunion con ese mismo fin.
Journal: March 31, 2011



AFFIDAVIT OF PUBLICATION

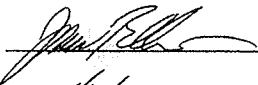
Ad No. 65972

STATE OF NEW MEXICO County of San Juan:

JOHN ELCHERT, being duly sworn says:
That HE is the PUBLISHER of THE DAILY
TIMES, a daily newspaper of general
circulation published in English at Farmington,
said county and state, and that the hereto
attached Legal Notice was published in a
regular and entire issue of the said DAILY
TIMES, a daily newspaper duly qualified for
the purpose within the meaning of Chapter
167 of the 1937 Session Laws of the State of
New Mexico for publication and appeared in
the Internet at The Daily Times web site on
the following day(s):

Thursday, March 31, 2011

And the cost of the publication is \$215.37


ON 4/4/11 JOHN ELCHERT
appeared before me, whom I know personally
to be the person who signed the above
document.


My Commission Expires - 11/05/11

COPY OF PUBLICATION

NEW MEXICO ENVIRONMENTAL IMPROVEMENT BOARD NOTICE OF STATE IMPLEMENTA- TION PLAN AND RULEMAKING HEARING

The New Mexico Environmental Im-
provement Board ("Board") will hold a
public hearing on June 1, 2011 at 9:00
a.m. in Room 307 of the State Capitol
Building (Roundhouse), 400 Old Santa
Fe Trail, Santa Fe, New Mexico, con-
tinuing on June 2 and, if necessary,
June 3 and 4, 2011 in Farmington, New
Mexico at San Juan College, 4601 Col-
lege Blvd. The New Mexico Environ-
ment Department ("NMED") is propos-
ing to adopt revisions to the New Mex-
ico State Implementation Plan for Re-
gional Haze. The proposed plan estab-
lishes requirements for New Mexico to
meet the requirements of 40 CFR Sec-
tion 51.309, including a determination of
Best Available Retrofitting technology for
nitrogen oxides and particulate matter
for the San Juan Generating Station.
Revisions to 20.2.73 NMAC and 20.2.81
NMAC are also proposed.

The proponent of this regulatory adop-
tion and revision is the New Mexico
Environment Department ("NMED").

The purpose of the public hearing is to
consider and take possible action on a
petition from NMED regarding revi-
sions to New Mexico's State Implemen-
tation Plan under the federal regional
haze rule, 40 CFR Section 51.309. The
regional haze rule requires states to
submit State Implementation Plans to
address visibility impairment caused by
regional haze in 156 federally-protected
parks and wilderness areas, known as
Class I areas, including nine such areas
in New Mexico. Revisions to 20.2.73
NMAC and 20.2.81 NMAC are also pro-
posed to conform those rules to federal
requirements for the regional haze
program.

The proposed revised regulations and
plan may be reviewed during regular
business hours of the NMED Air Qual-
ity Bureau office, 1301 Siler Road, Build-
ing B, Santa Fe, New Mexico. The full
text of NMED's proposed revised State
Implementation Plan and regulations
are available on NMED's web site at
www.nmenv.state.nm.us, or by contact-
ing Rita Bates at (505) 476-4304 or by
email at rba.bates@state.nm.us.

The hearing will be conducted in ac-
cordance with 20.1.1 NMAC
(Rulemaking Procedures - Environmen-
tal Improvement Board), the Environ-
mental Improvement Act, Section 14-9
NMSA 1978, the Air Quality Control Act,
Section 74-24 NMSA 1978, and other ap-
plicable procedures.

All interested persons will be given re-
asonable opportunity at the hearing to
submit relevant evidence, data, views
and arguments, orally or in writing, to
introduce exhibits, and to examine wit-
nesses. Persons wishing to present tech-
nical testimony must file with the
Board a written notice of intent to do
so. The notice of intent shall:

- (1) identify the person for whom the
witness(es) will testify;
- (2) identify each technical witness that
the person intends to present and state
the qualifications of the witness, includ-
ing a description of their education and
work background;
- (3) include a copy of the direct testimo-
ny in narrative form of each technical
witness and state the anticipated dura-
tion of the testimony of that witness;
- (4) attach each exhibit anticipated to be
offered by that person at the hearing;
- (5) attach the text of any recommended
modifications to the proposed new and
revised regulations.

Notices of intent for the hearing must
be received in the Office of the Board
not later than 5:00 pm on May 17, 2011,
and should reference the docket num-
ber, EIB 11-01 (R), and the date of the
hearing. Notices of intent to present
technical testimony should be submit-
ted to:

Felicia Orth, Acting Board
Administrator
Office of the Environmental
Improvement Board
Harold Runnels Building
1190 St. Francis Dr., Room 2150-N
Santa Fe, NM 87502
Phone: (505) 827-0339, Fax (505) 827-2834

Any member of the general public may
testify at the hearing. No prior notifica-
tion is required to present non-technical
testimony at the hearing. Any such
member may also offer exhibits in con-
nection with his testimony, so long as
the exhibit is not unduly repetitious of
the testimony.

A member of the general public who
wishes to submit a written statement
for the record in lieu of providing oral
testimony at the hearing, shall file the
written statement prior to the hearing,
or submit it at the hearing.

Persons having a disability and needing
help in being a part of this hearing
process should contact Judy Bentley by
May 17, 2011 at the NMED, Personnel
Services Bureau, P.O. Box 5449, 1190 St.
Francis Drive, Santa Fe, New Mexico,
87502-5449, telephone 505-827-9872. TDY
users please access her number via the
New Mexico Relay Network at 1-800-
659-8331.

The Board may make a decision on the
proposed revised state implementation
plan and regulations at the conclusion
of the hearing, or the Board may con-
vene a meeting at a later date to con-
sider action on the proposal.

Legal No. 65972 Published in the Daily
Times on March 31, 2011



AFFIDAVIT OF PUBLICATION

Ad No. 65974

STATE OF NEW MEXICO County of San Juan:

JOHN ELCHERT, being duly sworn says:
That HE is the PUBLISHER of THE DAILY
TIMES, a daily newspaper of general
circulation published in English at Farmington,
said county and state, and that the hereto
attached Legal Notice was published in a
regular and entire issue of the said DAILY
TIMES, a daily newspaper duly qualified for
the purpose within the meaning of Chapter
167 of the 1937 Session Laws of the State of
New Mexico for publication and appeared in
the Internet at The Daily Times web site on
the following day(s):

Thursday, March 31, 2011

And the cost of the publication is \$234.26

John Elchert

ON 4/4/11 JOHN ELCHERT
appeared before me, whom I know personally
to be the person who signed the above
document.

Christine Sellers

My Commission Expires - 11/05/11

COPY OF PUBLICATION

JUNTA DE MEJORAMIENTO AMBIENTAL DE NUEVO MEXICO AVISO DE AUDIENCIA DE PLAN DE IMPLEMENTACION ESTATAL Y REGlamentACION

La Junta para el Mejoramiento Ambiental de Nuevo Mexico (en adelante "la Junta") celebrará una audiencia pública el día 1 de junio de 2011 a las 9:00 a.m. en la Sala 307 del State Capitol Building (Roundhouse) situado en 490 Old Santa Fe Trail, Santa Fe, Nuevo Mexico, que continuará el 2 de junio y si es necesario el 3 y 4 de junio en San Juan College, 4201 College Blvd., El Departamento del Medio Ambiente de Nuevo Mexico (en adelante "NMAED") está proponiendo aprobar una revisión del Plan de Implementación Estatal de Nuevo Mexico para la Nebulina Regional. El plan propuesto establece los requisitos para que Nuevo Mexico cumpla con los requisitos de 40 CFR Sección 51.209 que incluye una determinación de la Mejor Tecnología Disponible de Modernización para el oxido de nitrógeno y las materias en partículas de la Estación General de San Juan. También se están proponiendo revisiones a 20.2.73 NMAC y 20.2.81 NMAC.

El proponente de esta adopción y revisión regulatoria es el Departamento del Medio Ambiente de Nuevo Mexico (NMAED).

El propósito de esta audiencia pública es considerar y tomar posibles acciones basadas en una petición del NMAED en relación a las revisiones del Plan de Implementación Estatal de Nuevo Mexico bajo la norma federal de neblina regional 40 CFR Sección 51.209. La norma de neblina regional requiere que los estados que remitan sus Planes de Implementación Estatal que aborden la reducción de visibilidad causada por la neblina regional en 154 parques y áreas silvestres con protección federal, conocidos como áreas Clase I, que incluyen nueve de dichas áreas localizadas en Nuevo Mexico. También se han propuesto revisiones a 20.2.73 NMAC y 20.2.81 NMAC para adecuar estas normas a los requisitos federales para el programa de neblina regional.

El plan propuesto puede revisarse durante los horas hábiles normales en la oficina de la Agencia de Calidad del Aire del NMAED, 1201 Silver Road, Building B, Santa Fe, Nuevo Mexico, en el sitio web del NMAED en www.nmenv.state.nm.us o comunicándose con Rita Bates al (505) 476-4304 o rita.bates@state.nm.us.

La audiencia se celebrará bajo 20.1.1 NMAC (Procedimientos para la creación de reglamentos del Consejo de mejoramiento del medio ambiente); la Environmental Improvement Act (Ley de mejoramiento de medio ambiente), Sección 74-1-9; NMSA 1978, la Air Quality Control Act (Ley de control de la calidad del aire), Sección 74-2-4; NMSA 1978, además de órdenes de promulgación, procedimientos y otros, presentados por el Consejo o el Funcionario de audiencias, y otros procedimientos pertinentes.

Se dará a todos los interesados una oportunidad razonable durante la audiencia para presentar algún testimonio pertinente, datos, puntos de vista o argumentos, tanto oralmente como por escrito, presentar evidencia e interrogar a los testigos.

Todos aquellos personas que deseen presentar testimonio técnico deberán presentar una notificación por escrito de sus intenciones, que incluye lo siguiente:

- (1) Identificar la persona por la cual el (los) testigo(s) van a testificar;
- (2) Identificar a cada uno de los testigos técnicos que la persona tiene la intención de presentar, y mencionar las actividades de la testigo, incluida una descripción de su carrera académica y antecedentes laborales;
- (3) Incluir una copia del testimonio directo de cada uno de los testigos técnicos, y mencionar la duración esperada del testimonio de ese testigo;
- (4) adjuntar todos las pruebas físicas que espera presentar, incluido cualquier declaración de razones para la adopción de los reglamentos;
- (5) adjuntar el texto de cualquier otra modificaciones recomendadas al cambio reglamentario propuesta.

La notificación de intención deberá identificar el número de la agenda, EIB No. 18-05(R). Las notificaciones de intención deberán recibirse en la oficina del Consejo a más tardar a las 5:00 p.m. el 17 de mayo de 2011. A continuación se menciona la dirección de la oficina del Consejo.

Felicia Orth, Acting Board Administrator
Office of the Environmental Improvement Board
Harold Runnels Building
1190 St. Francis Dr., Room 2150-N
Santa Fe, NM 87502
Phone: (505) 827-0339; Fax: (505) 827-2836

Cualquier persona, aún un miembro del público, que desee presentar algún comentario público o técnico, testimonio o prueba física podrá hacerlo sin necesidad de notificación previa, ya sea por escrito en cualquier momento antes de la conclusión de la audiencia o en persona durante la audiencia.

Toda persona discapacitada o que requiera de ayuda para poder participar en los procedimientos de esta audiencia, debe comunicarse con Jody Santley antes del 17 de mayo de 2011 a la oficina de servicios de personal del NMAED, P.O. Box 4469, 1190 St. Francis Drive, Santa Fe, Nuevo Mexico, 87502. 5469; teléfono (505) 827-9472. Los usuarios de TDD y pueden acceder su número mediante el New Mexico Relay Network al (800) 457-8331.

El Consejo podrá tomar una decisión sobre la reglamentación propuesta o la conclusión de la audiencia o podría convocar otra reunión con ese mismo fin.

Legal No. 65974 Published In the Daily Times on March 31, 2011



AFFIDAVIT OF PUBLICATION

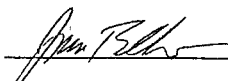
Ad No. 65973

STATE OF NEW MEXICO
County of San Juan:

JOHN ELCHERT, being duly sworn says:
That HE is the PUBLISHER of THE DAILY
TIMES, a daily newspaper of general
circulation published in English at Farmington,
said county and state, and that the hereto
attached Legal Notice was published in a
regular and entire issue of the said DAILY
TIMES, a daily newspaper duly qualified for
the purpose within the meaning of Chapter
167 of the 1937 Session Laws of the State of
New Mexico for publication and appeared in
the Internet at The Daily Times web site on
the following day(s):

Thursday, March 31, 2011

And the cost of the publication is \$222.11


ON 4/4/11 JOHN ELCHERT
appeared before me, whom I know personally
to be the person who signed the above
document.


My Commission Expires - 11/05/11

COPY OF PUBLICATION

NEW MEXICO ENVIRONMENTAL
IMPROVEMENT BOARD
NOTICE OF STATE
IMPLEMENTATION PLAN HEARING

The New Mexico Environmental Improvement Board ("Board") will hold a public hearing on June 23 or 24, 2011 in Farmington, New Mexico at San Juan College, 4601 College Blvd. The hearing will commence immediately following the hearing in EIB No. 11-01 (R), scheduled for June 2-4 (as necessary), 2011 at the same location. The New Mexico Environment Department ("NMED") is proposing to adopt revisions to the New Mexico State Implementation Plan to satisfy the requirements of Clean Air Act Section 110(a)(2)(D)(i)(I) with respect to visibility for the 8-hour ozone and particulate matter under 2.5 microns in diameter (PM_{2.5}) National Ambient Air Quality Standards promulgated in July 1997.

The proposed revision to the New Mexico State Implementation Plan ("SIP") is:

The purpose of the public hearing is to consider and take possible action on a petition from NMED regarding revisions to New Mexico's State Implementation Plan (SIP). The "Good Neighbor" provision of the Clean Air Act (CAA) at Section 110(a)(2)(D)(i) requires that each state implementation plan (SIP) submitted to EPA must address emissions from within the state that affect other states through interstate transport. The NMED's Best Available Retrofit Technology (BART) determination for nitrogen dioxide for the San Juan Generating Station (SJGS) calls for an emission rate of 0.23 pounds per million British thermal units (lb/mmBtu). In order to address the separate requirement to satisfy Section 110(a)(2)(D) for sulfur dioxide, SJGS has agreed to a permit modification to implement a limit of 6.15 lb/mmBtu for sulfur dioxide. These nitrogen dioxide and sulfur dioxide emission limits ensure that New Mexico will meet or exceed the expectations of neighboring states for visibility.

The proposed revised plan may be reviewed during regular business hours at the NMED Air Quality Bureau office, 1301 Siler Road, Building B, Santa Fe, New Mexico. The full text of NMED's proposed State Implementation Plan is available on NMED's web site at www.nmenv.state.nm.us or by contacting Rita Bates at (505) 476-0004 or by email at rita.bates@state.nm.us.

The hearing will be conducted in accordance with 20.1.1 NMAC (Rulemaking Procedures - Environmental Improvement Board), the Environmental Improvement Act, Section 74-1-1 NMSA 1978, the Air Quality Control Act, Section 74-2-4 NMSA 1978, and other applicable procedures.

All interested persons will be given reasonable opportunity at the hearing to submit relevant evidence, data, views and arguments, orally or in writing, to introduce exhibits, and to examine witnesses. Persons wishing to present technical testimony must file with the Board a written notice of intent to do so. The notice of intent shall:

- (1) identify the person for whom the witness(es) will testify;
- (2) identify each technical witness that the person intends to present and state the qualifications of the witness, including a description of their education and work background;
- (3) include a copy of the direct testimony in narrative form of each technical witness and state the anticipated duration of the testimony of that witness;
- (4) attach each exhibit anticipated to be offered by that person at the hearing; and
- (5) attach the text of any recommended modifications to the proposed new and revised regulations.

Notices of intent for the hearing must be received in the Office of the Board not later than 5:00 pm on May 17, 2011, and should reference the docket number, EIB 11-02 (R), and the date of the hearing. Notices of intent to present technical testimony should be submitted to:

Felicio Ortiz, Acting Board
Administrator
Office of the Environmental
Improvement Board
Harold Runnels Building
1190 St. Francis Dr., Room 2150-N
Santa Fe, NM 87502
Phone: (505) 827-0297, Fax (505) 827-2634

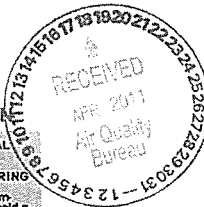
Any member of the general public may testify at the hearing. No prior notification is required to present non-technical testimony at the hearing. Any such member may also offer exhibits in connection with his testimony, so long as the exhibit is not unduly repetitious of the testimony.

A member of the general public who wishes to submit a written statement for the record, in lieu of providing oral testimony at the hearing, shall file the written statement prior to the hearing, or submit it at the hearing.

Persons having a disability and needing help in being a part of this hearing process should contact Judy Beniley by May 17, 2011 at the NMED, Personnel Services Bureau, P.O. Box 5469, 1190 St. Francis Drive, Santa Fe, New Mexico, 87502-5469, telephone 505-827-9872. TDY users please access her number via the New Mexico Relay Network at 1-800-629-3331.

The Board may make a decision on the proposed revised state implementation plan at the conclusion of the hearing, or the Board may convene a meeting at a later date to consider action on the proposal.

Legal No. 65973 Published in the Daily Times on March 31, 2011



AFFIDAVIT OF PUBLICATION

Ad No. 65974

**STATE OF NEW MEXICO
County of San Juan:**

JOHN ELCHERT, being duly sworn says:
That HE is the PUBLISHER of THE DAILY
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said county and state, and that the hereto
attached Legal Notice was published in a
regular and entire issue of the said DAILY
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the purpose within the meaning of Chapter
167 of the 1937 Session Laws of the State of
New Mexico, for publication and appeared in
the Internet at The Daily Times web site on
the following day(s):

Thursday, March 31, 2011

And the cost of the publication is \$234.26

John Elchert

ON 4/4/11 JOHN ELCHERT
appeared before me, whom I know personally
to be the person who signed the above
document.

Christine Sellers

My Commission Expires - 11/05/11

COPY OF PUBLICATION

**JUNTA DE MEJORAMIENTO
AMBIENTAL DE NUEVO MEXICO
AVISO DE AUDIENCIA DE PLAN DE
IMPLEMENTACIÓN ESTATAL Y
REGLAMENTACIÓN**

La Junta para el Mejoramiento Ambiental de Nuevo México (en adelante "la Junta") celebrará una audiencia pública el día 1 de junio de 2011 a las 9:00 a.m. en la Sala 307 del State Capitol Building (Roundhouse) situado en 400 Old Santa Fe Trail, Santa Fe, Nuevo México, que continuará el 2 de junio y si es necesario el 3 y 4 de junio de 2011 en Farmington, Nuevo México en San Juan College, 4601 College Blvd., El Departamento del Medio Ambiente de Nuevo México (en adelante "NMAED") está proponiendo aprobar una revisión del Plan de Implementación Estatal de Nuevo México para la Neblina Regional. El plan propuesto establece los requisitos para que Nuevo México cumpla con los requisitos de 40 CFR Sección 51.209 que incluye una determinación de la Mejor Tecnología Disponible de Modernización para el óxido de nitrógeno y las materias en partículas de la Estación Generadora de San Juan. También se están proponiendo revisiones a 20.2.73 NMAC y 20.2.81 NMAC.

El propósito de esta adaptación y revisión regulariza el Departamento del Medio Ambiente de Nuevo México (NMAED).

El propósito de esta audiencia pública es considerar y tomar posibles acciones basadas en una petición del NMAED en relación a las revisiones del Plan de Implementación Estatal de Nuevo México bajo la norma federal de neblina regional 40 CFR Sección 51.209. La norma de neblina regional requiere que los estados que remitan sus Planes de Implementación Estatal que aborden la reducción de visibilidad causada por la neblina regional en 156 parques y áreas silvestres con protección federal, conocidos como áreas Clase I que incluyen nueve de dichas áreas localizadas en Nuevo México. También se han propuesto revisiones a 20.2.73 NMAC y 20.2.81 NMAC para adecuar estas normas a los requisitos federales para el programa de neblina regional.

El plan propuesto puede revisarse durante las horas hábiles normales en la oficina de la Agencia de Calidad del Aire del NMAED, 1201 Silver Road, Building B, Santa Fe, Nuevo México, en el sitio web del NMAED en www.nmenv.state.nm.us, comunicándose con Rita Bates al (505) 476-0304 o rita.bates@state.nm.us.

La audiencia se celebrará bajo 20.1.1 NMAC (Procedimientos para la creación de reglamentos del Consejo de mejoramiento del medio ambiente), la Environmental Improvement Act (Ley de mejoramiento de medio ambiente) Sección 74-1-2; NMSA 1978, la Air Quality Control Act (Ley de control de la calidad del aire), Sección 74-2-4, NMSA 1978, además de órdenes de programación, de procedimientos y otros, presentados por el Consejo o el Funcionario de audiencias, y otros procedimientos pertinentes.

Se dará a todos los interesados una oportunidad razonable durante la audiencia para presentar algún testimonio pertinente, datos, puntos de vista o argumentos, tanto oralmente como por escrito, presentar evidencia e interrogar a los testigos.

Todas aquellas personas que deseen presentar testimonio técnico deberán presentar una notificación por escrito de sus intenciones, que incluya lo siguiente:

- (1) Identificar la persona por la cual el (los) testigo(s) van a testificar;
- (2) Identificar cada uno de los testigos técnicos que la persona tiene la intención de presentar, y mencionar las aptitudes de la testigo, incluida una descripción de su carrera académica y antecedentes laborales;
- (3) Incluir una copia del testimonio directo de cada uno de los testigos técnicos, y mencionar la duración esperada del testimonio de ese testigo;
- (4) adjuntar todas las pruebas físicas que espera presentar, incluido cualquier declaración de razones para la adopción de los reglamentos;
- (5) adjuntar el texto de cualesquiera modificaciones recomendadas al cambio regulatorio propuesto.

La notificación de intención deberá identificar el número de la agenda, EIB No. 10-0518. Las notificaciones de intención deberán recibirse en la oficina del Consejo a más tardar a las 5:00 p.m. el 17 de mayo de 2011. A continuación se menciona la dirección de la oficina del Consejo.

Felicia Orth, Acting Board Administrator
Office of the Environmental Improvement Board
Harold Runnels Building
1190 St. Francis Dr., Room 2150-N
Santa Fe, NM 87502
Phone: (505) 827-0309, Fax (505) 827-2834

Cualquier persona, aún un miembro del público, que desea presentar algún comentario o prueba física podrá hacerlo sin necesidad de notificación previa, ya sea por escrito en cualquier momento antes de la conclusión de la audiencia, o en persona durante la audiencia.

Toda persona discapacitada o que requiera de ayuda para poder participar en los procedimientos de esta audiencia, debe comunicarse con Judy Bentley antes del 17 de mayo de 2011 al oficina de servicios de personal del NMAED, P.O. Box 6469, 1190 St. Francis Drive, Santa Fe, Nuevo México, 87502-5469, teléfono (505) 827-2872. Los usuarios de TDD pueden acceder su número mediante el New Mexico Relay Network al (800) 659-6331.

El Consejo podrá tomar una decisión sobre la reglamentación propuesta a la conclusión de la audiencia o podrá convocar otra reunión con ese mismo fin.

Legal No. 65974 Published in the Daily Times on March 31, 2011



PUBLIC NOTICES



NEW MEXICO ENVIRONMENTAL IMPROVEMENT BOARD NOTICE OF STATE IMPLEMENTATION PLAN HEARING.

The New Mexico Environmental Improvement Board ("Board") will hold a public hearing on June 2, 3 or 4, 2011 in Farmington, New Mexico at San Juan College, 4601 College Blvd. The hearing will commence immediately following the hearing in EIB No. 11-01 (R), scheduled for June 2 - 4 (as necessary), 2011 at the same location. The New Mexico Environment Department ("NMED") is proposing to adopt revisions to the New Mexico State Implementation Plan to satisfy the requirements of Clean Air Act Section 110(a)(2)(D)(i)(II) with respect to visibility for the 8-hour ozone and particulate matter under 2.5 microns in diameter (PM_{2.5}) National Ambient Air Quality Standards promulgated in July 1997.

The proponent of this regulatory adoption and revision is the New Mexico Environment Department ("NMED").

The purpose of the public hearing is to consider and take possible action on a petition from NMED regarding revisions to New Mexico's State Implementation Plan (SIP). The "Good Neighbor" provision of the Clean Air Act (CAA) at Section 110(a)(2)(D)(i) requires that each state implementation plan (SIP) submitted to EPA must address emissions from within the state that affect other states through interstate transport. The NMED's Best Available Retrofit Technology (BART) determination for nitrogen dioxide for the San Juan Generating Station (SJGS) calls for an emission rate of 0.23 pounds per million British thermal units (lbs/mmBtu). In order to address the separate requirement to satisfy Section 110(a)(2)(D) for sulfur dioxide, SJGS has agreed to a permit modification to implement a limit of 0.15 lbs/mmBtu for sulfur dioxide. These nitrogen dioxide and sulfur dioxide emission limits ensures that New Mexico will meet or exceed the expectations of neighboring states for visibility.

The proposed revised plan may be reviewed during regular business hours at the NMED Air Quality Bureau office, 1301 Siler Road, Building B, Santa Fe, New Mexico. The full text of NMED's proposed State Implementation Plan is available on NMED's web site at www.nmenv.state.nm.us, or by contacting Rita Bates at (505) 476-4304 or by email at rita.bates@state.nm.us.

The hearing will be conducted in accordance with 20.1.1 NMAC (Rulemaking Procedures - Environmental Improvement Board), the Environmental Improvement Act, Section 74-1-9 NMSA 1978, the Air Quality Control Act, Section 74-2-6 NMSA 1978, and other applicable procedures.

All interested persons will be given reasonable opportunity at the hearing to submit relevant evidence, data, views and arguments, orally or in writing, to introduce exhibits, and to examine witnesses. Persons wishing to present technical testimony must file with the Board a written notice of intent to do so. The notice of intent shall:

- (1) identify the person for whom the witness(es) will testify;
- (2) identify each technical witness that the person intends to present and state the qualifications of the witness, including a description of their education and work background;
- (3) include a copy of the direct testimony in narrative form of each technical witness and state the anticipated duration of the testimony of that witness;
- (4) attach each exhibit anticipated to be offered by that person at the hearing; and
- (5) attach the text of any recommended modifications to the proposed new and revised regulations.

Notices of intent for the hearing must be received in the Office of the Board not later than 5:00 pm on May 17, 2011, and should reference the docket number, EIB 11-02 (R), and the date of the hearing. Notices of intent to present technical testimony should be submitted to:

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Office of the Environmental Improvement Board
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1190 St. Francis Dr., Room 2150-N
Santa Fe, NM 87502
Phone: (505) 827-0339, Fax (505) 827-2836

Any member of the general public may testify at the hearing. No prior notification is required to present non-technical testimony at the hearing. Any such member may also offer exhibits in connection with his testimony, so long as the exhibit is not unduly repetitious of the testimony.

A member of the general public who wishes to submit a written statement for the record, in lieu of providing oral testimony at the hearing, shall file the written statement prior to the hearing, or submit it at the hearing.

Persons having a disability and needing help in being a part of this hearing process should contact Judy Bentley by May 17, 2011 at the NMED, Personnel Services Bureau, P.O. Box 5469, 1190 St. Francis Drive, Santa Fe, New Mexico, 87502-5469, telephone 505-827-9872. TDY users please access her number via the New Mexico Relay Network at 1-800-659-8331.

The Board may make a decision on the proposed revised state implementation plan at the conclusion of the hearing, or the Board may convene a meeting at a later date to consider action on the proposal.

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NEW MEXICO ENVIRONMENTAL IMPROVEMENT BOARD NOTICE OF STATE IMPLEMENTATION PLAN AND RULEMAKING HEARING

The New Mexico Environmental Improvement Board ("Board") will hold a public hearing on June 1, 2011 at 9:00 a.m. in Room 307 at the State Capitol Building (Roundhouse), 490 Old Santa Fe Trail, Santa Fe, New Mexico, continuing on June 2 and, if necessary, June 3 and 4, 2011 in Farmington, New Mexico at San Juan College, 4601 College Blvd. The New Mexico Environment Department ("NMED") is proposing to adopt revisions to the New Mexico State Implementation Plan for Regional Haze. The proposed plan establishes requirements for New Mexico to meet the requirements of 40 CFR Section 51.309, including a determination of Best Available Retrofit Technology for nitrogen oxides and particulate matter for the San Juan Generating Station. Revisions to 20.2.73 NMAC and 20.2.81 NMAC are also proposed.

The proponent of this regulatory adoption and revision is the New Mexico Environment Department ("NMED").

The purpose of the public hearing is to consider and take possible action on a petition from NMED regarding revisions to New Mexico's State Implementation Plan under the federal regional haze rule, 40 CFR Section 51.309. The regional haze rule requires states to submit State Implementation Plans to address visibility impairment caused by regional haze in 156 federally-protected parks and wilderness areas, known as Class I areas, including nine such areas in New Mexico. Revisions to 20.2.73 NMAC and 20.2.81 NMAC are also proposed to conform those rules to federal requirements for the regional haze program.

The proposed revised regulations and plan may be reviewed during regular business hours at the NMED Air Quality Bureau office, 1301 Siler Road, Building B, Santa Fe, New Mexico. The full text of NMED's proposed revised State Implementation Plan and regulations are available on NMED's web site at www.nmenv.state.nm.us, or by contacting Rita Bates at (505) 476-4304 or by email at rita.bates@state.nm.us.

The hearing will be conducted in accordance with 20.1.1 NMAC (Rulemaking Procedures - Environmental Improvement Board), the Environmental Improvement Act, Section 74-1-9 NMSA 1978, the Air Quality Control Act, Section 74-2-6 NMSA 1978, and other applicable procedures.

All interested persons will be given reasonable opportunity at the hearing to submit relevant evidence, data, views and arguments, orally or in writing, to introduce exhibits, and to examine witnesses. Persons wishing to present technical testimony must file with the Board a written notice of intent to do so. The notice of intent shall:

- (1) identify the person for whom the witness(es) will testify;
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- (4) attach each exhibit anticipated to be offered by that person at the hearing; and
- (5) attach the text of any recommended modifications to the proposed new and revised regulations.

Notices of intent for the hearing must be received in the Office of the Board not later than 5:00 pm on May 17, 2011, and should reference the docket number, EIB 11-01 (R), and the date of the hearing. Notices of intent to present technical testimony should be submitted to:

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Any member of the general public may testify at the hearing. No prior notification is required to present non-technical testimony at the hearing. Any such member may also offer exhibits in connection with his testimony, so long as the exhibit is not unduly repetitious of the testimony.

A member of the general public who wishes to submit a written statement for the record, in lieu of providing oral testimony at the hearing, shall file the written statement prior to the hearing, or submit it at the hearing.

Persons having a disability and needing help in being a part of this hearing process should contact Judy Bentley by May 17, 2011 at the NMED, Personnel Services Bureau, P.O. Box 5469, 1190 St. Francis Drive, Santa Fe, New Mexico, 87502-5469, telephone 505-827-9872. TDY users please access her number via the New Mexico Relay Network at 1-800-659-8331.

The Board may make a decision on the proposed revised state implementation plan and regulations at the conclusion of the hearing, or the Board may convene a meeting at a later date to consider action on the proposal.

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